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February 15, 2007

BY E-FILING

The Honorable Mary Pat Thyng  
 United States District Court  
 for the District of Delaware  
 844 North King Street  
 Wilmington, DE 19801

Re: IGT v. Bally Gaming International, Inc., et al.: C.A. No. 06-282 (\*\*\*)

Dear Judge Thyng:

Attached is a Revised Scheduling Order being proposed by the parties. If it is acceptable, we request that it be entered. The parties will also be prepared to discuss this proposal with Your Honor during the telephone conference set for next Wednesday afternoon.

For the Court's convenience, the revised Order would make the following changes to the current scheduling order:

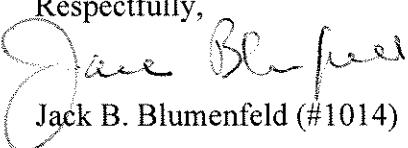
<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
Defendants' preliminary injunction answering brief	February 15, 2007	45 days before hearing
Plaintiff's preliminary injunction reply brief	March 9, 2007	15 days before hearing
Preliminary Injunction Hearing	Not scheduled	To be set by Court
Motions to Amend or Supplement	February 16, 2007	March 16, 2007
Exchange of claim construction terms	June 27, 2007	Unchanged
Submission of claim construction chart	July 10, 2007	Unchanged
Opening Markman Briefs	July 13, 2007	Unchanged

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<u>Event</u>	<u>Current Date</u>	<u>Proposed Date</u>
Answering Markman Briefs	August 3, 2007	Unchanged
Markman Hearing	September 7, 2007	Unchanged
Opening Expert Reports	April 20, 2007	The later of October 12, 2007, or 35 days after Markman rulings
Rebuttal Expert Reports	May 18, 2007	The later of November 16, 2007, or 70 days after Markman rulings
Discovery Cutoff	June 22, 2007	The later of January 11, 2008, or 120 days after Markman rulings
Case Dispositive Motions	July 13, 2007	The later of February 8, 2008, or 150 days after Markman rulings
Case Dispositive Motion Answering Briefs	August 3, 2007	The later of February 29, 2008, or 175 days after Markman rulings
Case Dispositive Motion Reply Briefs	August 17, 2007	The later of March 18, 2008 or 195 days after Markman rulings
Case Dispositive Motion Hearing	September 7, 2007	To be set
Pretrial Conference	January 17, 2008	To be set
Jury Trial	February 25, 2008	May 2008

Respectfully,  
  
 Jack B. Blumenfeld (#1014)

Enclosure

cc: Peter T. Dalleo, Clerk (by hand; w/ encl.)  
 William J. Wade, Esquire (by hand; w/ encl.)  
 David Enzminger, Esquire (by e-mail; w/ encl.)  
 Charles Verhoeven, Esquire (by e-mail; w/ encl.)  
 Edward DeFranco, Esquire (by e-mail; w/ encl.)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IGT, )  
 )  
Plaintiff, )  
 )  
v. ) C.A. No. 06-282 (\*\*\*)  
 )  
BALLY GAMING INTERNATIONAL, )  
INC., BALLY TECHNOLOGIES, INC., )  
and BALLY GAMING, INC., )  
 )  
Defendants. )

**REVISED SCHEDULING ORDER**

IT IS HEREBY stipulated by the parties, subject to the approval of the Court, that the Scheduling Order entered on July 11, 2006 (D.I. 45), and the Court's November 28, 2006 Order (D.I. 100), are revised as follows:

**SCHEDULING ORDER**

2. Amendment of Pleadings. All motions to amend or supplement the pleadings shall be filed on or before March 16, 2007.
3. d. Discovery Cut Off. All discovery (including all fact and expert discovery) in this case shall be initiated so that it will be completed by the later of January 11, 2008, or 120 days after the Court's claim construction rulings.
- e. Disclosure of Expert Testimony. Unless otherwise agreed to by the parties, they shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on issues on which the party bears the burden of proof on the later of October 12, 2007, or 35 days after the Court's claim construction rulings. The parties shall file any rebuttal expert reports on or before

the later of November 16, 2007, or 70 days after the Court's claim construction rulings. To the extent any objection to expert testimony is made pursuant to the principles announced in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court.

9. Case Dispositive Motions. The deadline for all parties to file case dispositive motions, including any opening brief and affidavits in support of the motion, shall be the later of February 8, 2008, or 150 days after the Court's claim construction rulings. Opposition briefs to any case dispositive motions shall be filed by the later of February 29, 2008, or 175 days after the Court's claim construction rulings. Reply briefs shall be filed by the later of March 18, 2008, or 195 days after the Court's claim construction rulings. Evidence and argument on any case dispositive motions will be heard at a time to be set by the Court.

14. Pretrial Conference. The parties shall file with the Court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies this Scheduling Order twenty-eight days before the Pretrial Conference. The Final Pretrial Conference will be held in Chambers with counsel on a date to be set by the Court. Unless otherwise ordered by the Court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3).

17. Trial. This matter is scheduled for a ten (10) day jury trial beginning at 9:30 a.m. on May \_\_\_, 2008. For the purpose of completing pretrial preparations, counsel should plan on each side being allocated a total of twenty-two hours to present their case.

NOVEMBER 28, 2006 ORDER

Preliminary Injunction Motion. Oral argument on plaintiff's motion for a preliminary injunction (D.I. 75) will be heard at a time to be set by the Court. Defendants' answering brief shall be filed at least forty-five days before that hearing, and plaintiff's reply brief shall be filed at least fifteen days before that hearing.

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Magistrate Judge